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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Ilsa Saravia, as next friend for A.H., a
minor, and on behalf of herself individually
and others similarly situated,

Plaintiff,

v.

William Barr, Attorney General, et al.,

Defendants.

Case No. 3:17-cv-03615-VC

Honorable Vince Chhabria

**STIPULATION AND ~~[PROPOSED]~~ ORDER
REGARDING DEADLINE FOR PLAINTIFF
TO FILE A MOTION SEEKING FEES AND
COSTS AS MODIFIED**

STIPULATION

The parties to this action (the “Parties”) stipulate as follows:

1. The Parties have entered into a Settlement Agreement (ECF No. 237-1). On January 19, 2021 this Court issued its Order Certifying the Settlement Class and Granting Final Approval of Class Action Settlement (ECF No. 249).
2. On September 23, 2020, Plaintiff initiated a process to negotiate the resolution of her claim for fees and costs by sending Defendants an initial settlement demand. The Parties have thereafter continued to negotiate fees and costs in good faith, with Plaintiff providing Defendants information supporting their demand and Defendants making a counteroffer.
3. The Parties now agree that an appropriate next step is referral of fees and costs to Judge Beeler for mediation. The Parties have requested that the Court make that referral under separate cover.
4. Plaintiff’s statutory deadline to file a motion for fees and costs under the Equal Access to Justice Act, 18 U.S.C. § 2412, is April 19, 2021. To allow the Parties to negotiate fees and costs without requiring concurrent preparation of Plaintiff’s motion, the Parties request that the Court relieve Plaintiff of this deadline, which is not jurisdictional, *see Scarborough v. Principi*, 541 U.S. 401, 413-14 (2004), and reset that deadline at a date to be determined if the Parties are unable to resolve this issue through negotiation and/or mediation.

1 Dated: February 21, 2021

COOLEY LLP

2 /s/ Sean Riordan

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1 Dated: February 21, 2021

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18 *Attorneys for Defendants*

15 **ATTESTATION**

16 I hereby attest that concurrence in the filing of this document has been obtained from the
17 Signatory of this document, pursuant to L.R. 5-1(i)(3).

18 /s/ Sean Riordan
19 Sean Riordan

~~PROPOSED~~ ORDER AS MODIFIED

Upon the stipulation of the Parties, and good cause appearing:

The deadline to file a motion for fees and costs pursuant to the Equal Access to Justice Act, 18 U.S.C. § 2412 is extended until June 1, 2021.

IT IS SO ORDERED.

Date: February 22, 2021

Vince Chhabria
United States District Judge

